

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
vs.) Case No. 2:17-CR-0185-TOR
Plaintiff,)
JAMES ANDREW JOY,) Protective Order for Minors and
Defendant.) Order Re: Compliance with 18
) U.S.C. § 3509(d)
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IT IS HEREBY ORDERED, that the privacy protection measures mandated by 18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime committed against another person, apply to this case, thus;

IT IS FURTHER ORDERED that all persons acting in this case in a capacity described in 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:

(d) Privacy protection.--

(1) Confidentiality of information.—

(A) A person acting in a capacity described in subparagraph (B) in connection with a criminal proceeding shall--

- (i) keep all documents that disclose the name or any other information concerning a child in

1 a secure place to which no person who does
2 not have reason to know their contents has
3 access; and

4 (ii) disclose documents described in clause (i) or
5 the information in them that concerns a child
6 only to persons who, by reason of their
participation in the proceeding, have reason
to know such information.

7 (B) Subparagraph (A) applies to--

8 (i) all employees of the Government connected
9 with the case, including employees of the
10 Department of Justice, any law enforcement
11 agency involved in the case, and any person
12 hired by the Government to provide
13 assistance in the proceeding;

14 (ii) employees of the court;

15 (iii) the defendant and employees of the
16 defendant, including the attorney for the
17 defendant and persons hired by the
18 defendant or the attorney for the defendant
19 to provide assistance in the proceeding; and

20 (iv) members of the jury.

21 (2) Filing under seal.--All papers to be filed in court that
22 disclose the name of or any other information concerning
23 a child shall be filed under seal without necessity of
24 obtaining a court order. The person who makes the filing
25 shall submit to the clerk of the court--

26 (A) the complete paper to be kept under seal; and

27 (B) the paper with the portions of it that disclose the
28 name of or other information concerning a child
redacted, to be placed in the public record.

1 IT IS FURTHER ORDERED that counsel shall remind all persons providing
2 assistance on this case of these obligations.

3 IT IS FURTHER ORDERED that any alleged minor victim will be referred to
4 either by initials or a pseudonym, whichever is agreed upon by counsel for the United
5 States and the Defendant. Counsel shall be consistent in their use of the identifier
6 selected. The parties shall prepare their witnesses and instruct them to refer to the
7 alleged minor victims only by using the agreed pseudonyms (e.g., "Jane Doe 1",
8 "Jane Doe 2" etc.) or initials, rather than their names, in opening statements and in
9 closing arguments.

10 IT IS FURTHER ORDERED that all personal information relating to any minor
11 victim shall be precluded from public disclosure.

12 IT IS SO ORDERED. The Clerk shall enter this Order and furnish copies to
13 counsel.

14 DATED October 31, 2017.



15 A handwritten signature in blue ink that reads "Thomas O. Rice".
16 THOMAS O. RICE
17 Chief United States District Judge
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